

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

CORA E. PORTER

PLAINTIFF

V.

NO. 2:12CV00031-SA-JMV

**OFFICE OF DISABILITY ADJUDICATION
& REVIEW VIRTUAL SCREEN UNIT**

DEFENDANT

ORDER

On February 17, 2012, Cora E. Porter filed the complaint (Doc. 1) and a motion to proceed *in forma pauperis* (Doc. 2). By Order dated February 23, 2012, the court denied Porter's *in forma pauperis* motion without prejudice because she had not submitted an affidavit that includes a statement that she is unable to pay the required fees. Additionally, the court found that the complaint does not allege sufficient grounds for this court's jurisdiction and that Porter may not have exhausted her remedies before the Social Security Administration. Consequently, the court required Porter to file an amended complaint and submit a new *in forma pauperis* application within 14 days. When Porter failed to file an amended complaint and submit a new *in forma pauperis* application within 14 days, the court entered a Show Cause Order (Doc. 5) that required Porter to show cause why this case should not be dismissed for her failure to prosecute and obey an order of the court.

Porter has now filed a response (Doc. 6) wherein she essentially alleges that she is disabled and complains that "[t]hose hearing my case have failed to consider what type of work I could do." Additionally, Porter has attached an *in forma pauperis* application¹ along with voluminous records, including medical and financial records and other documents containing

¹Porter did not file this application as a separate document.

sensitive information.

First, the court finds the *in forma pauperis* application is incomplete because Porter has failed to specify the pay period for her wages, the value of the property she owns, and the amounts of her monthly expenses. Next, Porter has yet to submit an amended complaint. The complaint (Doc. 1) on file does not allege sufficient grounds for this court's jurisdiction, and it appears that the plaintiff may not have exhausted her administrative remedies.

THEREFORE, IT IS ORDERED:

1. That within fourteen 14 days of this date, the plaintiff may file an amended complaint. The complaint shall concisely state on what grounds this court's jurisdiction is based, including each relevant level of the administrative review process of the plaintiff's disability application before the Social Security Administration. Additionally, the complaint shall plainly and precisely state what errors the plaintiff claims were committed during the administrative review process.

2. That the plaintiff may also file a new *in forma pauperis* application within 14 days of this date— if the plaintiff chooses to file an amended complaint. The plaintiff should note the errors outlined above and complete and file an original, signed copy of the attached *in forma pauperis* application form.

3. That should the plaintiff fail to file an amended *in forma pauperis* application and amended complaint within 14 days of this date, it will be my recommendation that this action be dismissed.

This, the 6th of June, 2012.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE